

Art Unit: 1794

1. The reply filed on 8/13/09 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant received an action on the merit on **a composite yarn** (428/370) but Applicant in his amendment on 8/13/09 canceled the composite yarn from the preamble of claims 1-21 to **shift** the invention to **A Product** (class 442 fabric or class 160 blinds or curtains class 52 at page 19 lines 15-30 of the spec) comprising a filament yarn. The election becomes fixed when the claims in an application have received an action on their merits by the Office. See MPEP818.01. The Office does not permit Applicant to **shift** to claiming another invention after an election and action is given on the elected subject matter (MPEP 819). Hence, Applicant must change claims 1-21 preamble back to a composite yarn and cancel the product subject matter from the claims or face abandonment of this case. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).